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(Modified) PTO/SB/21 (6-98)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

09/932,254

Filing Date

August 16, 2001

First Named Inventor

Liu Lu, et al.

Group Art Unit

1635

Examiner Name

Unassigned

Attorney Docket Number

0162.210 US

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## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

Transmittal form; return postcard; PTO-1449; 1 reference

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Christopher M. Holman,  
Maxygen, Inc.

Reg. No. 40,021

Signature

Date

9/12/02

## CERTIFICATE OF MAILING

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Date

9-12-02



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Attorney Docket No.: 0162.210 US  
Application No.: 09/932,254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Liu Lu, et al.

Application No.: 09/932,254

Filed: August 16, 2001

For: Novel Constructs and Their use in  
Metabolic Pathway Engineering

Examiner: Unassigned

Art Unit: 1635

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR § 1.97 and § 1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The reference cited on attached form 1449A-B/PTO is being called to the attention of the Examiner. A Copy of the reference is enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited are prior art merely because it is in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement, since it is being submitted prior to a first Office action on the merits. However, if a fee is required, the

Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

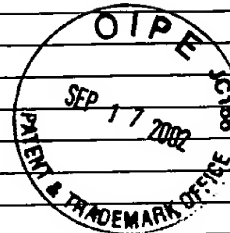
Respectfully submitted,



Christopher M. Holman  
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Substitute for form 1449A-B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>	Complete if Known	
	Application Number	09/932,254
	Filing Date	August 16, 2001
	First Named Inventor	Lu Liu, et al.
	Group Art Unit	3054
	Examiner Name	Unassigned
	Attorney Docket Number	0162.210 us



U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			
	AZ	6,448,473	B1	Mitsky, et al.	09-10-2002	

FOREIGN PATENT DOCUMENTS								
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		Office	Number	Kind Code (if known)				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Part of Paper No. 9